

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

T.P., *individually and on behalf of her child*
G.P.,

Plaintiffs,
-against-

CITY OF NEW YORK and NEW YORK
CITY DEPARTMENT OF EDUCATION,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/2/2023

1:20-cv-10796 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

In April 2023, the parties informed the Court that they had resolved the underlying dispute in this IDEA action and that the only remaining issue in this case was attorney's fees. [See ECF No. 38.] After many months of continued discussions between the parties, the Court set a briefing schedule on Plaintiff's anticipated motion for fees. [See ECF No. 44.] The motion was due on November 1, 2023. [ECF No. 44.] No motion was filed.

Accordingly, the parties are HEREBY DIRECTED to file a joint letter on or before November 3, 2023, informing the Court whether the fees dispute has been resolved and if so, promptly dismissing this action. In the event that Plaintiff still seeks to file the fees motion, Plaintiff is directed to show cause, in writing, why she failed to comply with the Court-ordered deadline and why she has failed to prosecute their case. Plaintiff is on notice that continued failure to comply with court orders will result in dismissal of the action for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41.

SO ORDERED.

Date: November 2, 2023
New York, NY


MARY KAY VYSKOCIL
United States District Judge